

REMARKS

Applicant has herein amended independent claim 22 to clarify the scope of thereof. Such amendment are not made for purposes of patentability and should not limit application of the doctrine of equivalents.

Claims 22-24 and 26 are neither anticipated by nor obvious in view of the prior art

In the Office Action, claims 22-24 and 26 were rejected as being anticipated by either Gagnon or Ettlin. Applicant respectfully submits that such rejection is improper and request reconsideration thereof.

Claim 22 requires, among other things, the pivotal connection of the first and second clamping members to cause weight of the first clamping member to result in a horizontal component of force being exerted inwardly by the first clamping member against the first channel surface and weight of the second clamping member to result in a horizontal component of force being exerted inwardly by the second clamping member against the second channel surface, when the support structure is secured to the I-beam and is in the clamped configuration. Ettlin disclose a chair that is configured and adapted to be supported on and by a windowsill. The chair of Ettlin discloses that the chair back can be pivoted relative to the chair seat so as to allow removal of the chair seat from the windowsill (col. 2:85-91). However, when the chair is in its clamped configuration (Figure 1), the braces (K) prevent the chair back from pivoting relative to the chair seat (B) (See col. 2:83-84). Thus, thus Ettlin does not disclose or suggest a support structure comprising a pivotal connection that causes weight of a first clamping member to result in a generally horizontal force being exerted inwardly by the first clamping member against a first channel surface of an I-beam and weight of a second

clamping member to result in a horizontal component of force being exerted inwardly by the second clamping member against a second channel surface of the I-beam, when the support structure is secured to the I-beam and is in a clamped configuration. Similarly, Gagnon discloses a windowsill scaffold or seat that comprises components that can be pivoted relative to each other to allow the device to be removed and attached to a windowsill, however such components are not pivotal with respect to each other when the device is clamped to the windowsill. More specifically, as can be seen in the figures of Gagnon, the device can be reconfigured into various positions by pivoting a moving various components relative to each other, but in each case the components are fully fixed (non-pivotal) relative to each other when in use. Thus Gagnon does not disclose or suggest a support structure comprising a pivotal connection that causes weight of a first clamping member to result in a generally horizontal force being exerted inwardly by the first clamping member against a first channel surface of an I-beam and weight of a second clamping member to result in a horizontal component of force being exerted inwardly by the second clamping member against a second channel surface of the I-beam, when the support structure is secured to the I-beam and is in a clamped configuration.

Because neither Ettlin nor Gagnon discloses a support structure that has each and every limitation of claim 22 and because together Ettlin and Gagnon fail to teach or suggest a support structure as set forth in claim 22, claim 22 is neither anticipated by nor obvious in view of Ettlin and Gagnon. For these reasons, the rejection of claim 22 is improper and should be withdrawn. Likewise, it follows then that claims 23, 24, and 26, being dependent upon claim 22, are also neither anticipated by nor obvious in view of

Ettlin and Gagnon. Thus, the rejections of claim 23, 24, and 26 are improper and should be withdrawn.

CONCLUSION

In view of the foregoing, Applicant submits that the application is now in condition for allowance and notification of such is requested. The Examiner is encouraged to contact the undersigned in the event there are any other issues that require resolution.

Respectfully submitted,
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